

EXHIBIT 1
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3/18/2011 HB 492 (David Howard) Testimony by Paul Nachman (Boze man)

I lived in southern California from 1996 to 2005. The effects of illegal immigration were in my face.

Opponents on these illegal-immigration-related bills routinely tell us that it's not a problem in Montana, and our legislature shouldn't be bothered to think about it.

But consider this: In 1990, illegal aliens were about half of one percent of Georgia's 6.5 million population. In 2010, they were about 4.4% out of 9.7 million. For North Carolina, the corresponding percentages are 0.4% and 3.5%. For the same epochs, California was (5.0%, 6.8%) and Texas was (2.6%, 6.6%). Thus those 1990 Georgians and North Carolinians could, reasonably, have said about illegal immigration, "Oh, that's really just a problem in the southwest border states, like Texas and California." So they ignored their local problems until, fractionally, they became Texas- or California-sized. And now they have pitched legislative battles in attempting to address the consequences.

So let's not let Montana get lulled the same way Georgia, North Carolina, and many other states were.

Now I'd like to remind you about a story that made national news in September, 2008. The Denver suburb of Aurora. An SUV ran a red light and slammed into a pick-up truck, which then crashed into an ice-cream shop. The two women in the truck were killed, along with a three-year-old boy in the Baskin Robbins. Surviving the crash was the illegal alien driving the SUV, who had caused it all. He'd been going at 80 mph on a city street when he hit the pick-up. He'd also been arrested previously more than a dozen times, including a traffic stop two months before, but Denver keeps their police from contacting the federal immigration authorities in such cases. So, despite multiple opportunities, this illegal alien was never deported. Instead, he was here and able to recklessly cause this accident. [Francis Hernandez]

Here's another you might remember. San Francisco. A Sunday in June, 2008. A man and his two sons, ages 20 and 16, were returning from a family picnic. The father, driving, briefly blocked another car from turning left down a narrow street.. After the father backed up to let the other car pass, the other driver opened fire, killing the three. This 21-year-old driver and gunman had been in San Francisco Police custody several times for prior crimes, but they hadn't contacted the feds, because SanFran is a sanctuary city. [Edwin Ramos]

Those two notorious cases make vivid what this bill is designed to prevent -- cases wherein illegal aliens who encountered law enforcement and could have been deported were, instead, left undisturbed to cause accidents or to commit horrific crimes. Such cases are legion in sanctuary cities, big and small, across the country: Chicago, Austin, Minneapolis, Houston, Boulder, CO, Salt Lake

I'll quote a few striking sentences from a 2004 article on this subject:

Some of the most violent criminals at large today are illegal aliens. Yet in cities where the crime these aliens commit is highest, the police cannot use the most obvious tool to apprehend them: their immigration status. In Los Angeles, for example, dozens of members of [the MS-13] gang have sneaked back into town after having been deported for such crimes as murder, assault with a deadly weapon, and drug trafficking. Police officers know who they are and know that their mere presence in the country is a felony.

(over)

Yet should a cop arrest an illegal gangbanger for felonious reentry, it is [the cop] who will be treated as a criminal, for violating the LAPD's rule against enforcing immigration law.

Los Angeles is probably the granddaddy of sanctuary cities and their sanctuary-city rule is known as Police Special Order 40. A bit more from that article:

Trying to build a homicide case, say, against an illegal gang member is often futile ... since witnesses fear deadly retaliation if they cooperate with the police. [In contrast]... [e]nforcing an immigration violation would allow the cops to lock up the murderer right now, without putting a witness's life at risk.

Summing up, sanctuary-cities for illegal aliens amount to bad public policy, and we shouldn't let Montana jurisdictions go that route.

A final note: Police officers have plenty of discretion. This bill wouldn't force them to do anything. Instead, it would keep the desk jockeys from laying down rules for the people in the field that would leave us citizens systematically unprotected.